

PLAINTIFF'S EXHIBIT KK

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LATHERIAL BOYD,)	
)	
Plaintiff,)	Case No. 13 C 7152
)	
vs.)	Judge Robert Gettleman
)	
CITY OF CHICAGO; et. al.)	Magistrate Judge Sidney Schenkier
)	
Defendants.)	

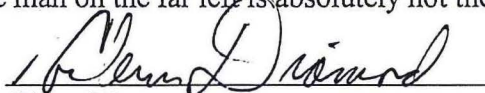
AFFIDAVIT OF GLENN DIAMOND

Now comes your affiant, Glenn Diamond, and states under oath as follows:


1. I am 42 years of age and reside in Tennessee. I am not under the influence of any alcohol.
I am giving this statement freely, voluntarily and intelligently.
2. I have not been promised or received anything in exchange for this truthful statement.
3. I have personal knowledge of the facts stated herein and will testify to them if called upon to do so.
4. I witnessed a shooting that occurred on February 24, 1990. I was 17 years old at the time.
5. At the time, I was in the United States Navy and was attending Great Lakes.
6. Just prior to the shooting, I had exited the Exodus Bar.
7. After the shooting, the shooter did not run away. Rather, the shooter simply turned and walked from the area.
8. I was able to view a side profile of the shooter after the shooting.
9. The shooter was a dark skinned male wearing a puffy, dark coat with a medium build.

10. The shooter was wearing all black.
11. After a period of days, I was taken to the Chicago Police Station to view a line-up. I agreed to view the line-up because I wanted to be helpful and identify the shooter if I could do so.
12. I do not recall if I was ever told the shooter may or may not be in the line-up.
13. I do not recall if I was told that I was not obligated to pick someone out of the line-up.
14. Upon viewing the line-up, the police officer, whose name I do not recall, asked me if I had to pick someone out as the shooter, who would it be?
15. At that point I told the police that the man in the middle of the line-up resembled the shooter but I was not 100 percent sure that he was the shooter.
16. The man I picked out appears in the photograph attached to this affidavit as Exhibit A. The man is third from the left and is wearing a white t-shirt and black jacket. The man resembled the shooter because of his dark skin and also, his build resembled that of the shooter. I have been provided with information that identifies the man as Theodore Simmons and shows that at the time of the line-up Mr. Simmons (whom I picked out) was five feet eleven inches tall and weighed 150 pounds. That height and weight are consistent with the shooter's height and weight.
17. I have also been provided with information that identifies the man on the far left as Lathierias Boyd and shows that at the time of the line-up, Mr. Boyd was six feet one inch

tall and weighed 215 pounds at the time of the line-up. The shooter was not that tall and did not weigh that much. The man on the far left is absolutely not the shooter.


Glenn Diamond

Subscribed and Sworn
to before me this 15th
day of September, 2015.


Notary Public

Commission: 3/27/16





JB000091

DETECTIVE DIVISION
AREA SIX VIOLENT CRIMES
HOMICIDE/MURDER 1ST DEGREE
FLEMING, Michael

2)

13 Mar 20
N- 088 6-3

PERSONS PRESENT DURING LINE-UP:

Att. Robert Schroeder representing
Mr. Lathierias Boyd.

PERSONS VIEWING LINE-UP:

#1: LOFTON, David P.
#2: KUTCHEK, Richard R.
#3: KABUROV, Boris P.
#4: WARD, TISHYRA M.
#5: BONANNO, Jennifer J.
#6: HEATH, David S.
#7: CLOHECY, William J.
#8: OSBORNE, Jeff M.
#9: DIAMOND, Glenn B.
#10: WARNER, Herbert.

PERSONS PARTICIPATING IN LINE-UP:

PERMANENT RETENTION FILE

(FROM LEFT TO RIGHT)

#1: BOYD, Lathierias J.: M/B: 24yrs old;
6'1; 215lbs; (CB# 8500 734)
#2: SANDERS, Sean A.: M/B: 21yrs. old;
5'11; 155lbs; (CB# 8500 404)
#3: SIMMONS, Theodore: M/B: 25yrs. old;
5'11; 150lbs; (CB# 8499 965)
#4: DICKSON, Billie: M/B: 33yrs. old;
6'; 190lbs; (CB# 8499 954)
#5: KELLY, Kerry: M/B: 30yrs. old;
6'; 220lbs; (CB# 8500 697)
#6: WASHINGTON, Johnny L.: M/B: 18yrs. old;
6'; 155lbs; (CB# 8500 027)

PERSONS IDENTIFIED IN LINE-UP:

See Narrative



(CONTINUED ON NEXT PAGE.....)

LB 00105

SAO 01388